

JOSEPH P. RUSSONIELLO (CASBN 44332)  
United States Attorney

BRIAN J. STRETCH (CASBN 163973)  
Chief, Criminal Division

AMY J. NELSON (OKBN 19898)  
Special Assistant United States Attorney

Defense Language Institute – Criminal Law  
1336 Plummer Street, Building 275  
Monterey, CA 93944  
Telephone: (831) 242-4537  
FAX: (831) 242-5198

Attorneys for Plaintiff

**FILED**

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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SALINAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WESLEY A. FREEMAN,

Defendant.

Criminal No.: CR-07-00518-HRL

STIPULATION AND ~~[PROPOSED]~~  
ORDER EXCLUDING TIME

On February 4, 2008, the parties in this case appeared before the Court for status hearing. The parties jointly requested that the case be continued from February 4, 2008, until June 2, 2008 at 9:30 a.m. in order for defendant's counsel and the Government to discuss a possible resolution of the case. In addition, the parties requested an exclusion of time under the Speedy Trial Act from February 4, 2008 to June 2, 2008 at 9:30 a.m. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need to research and arrange for participation in a gun safety course.

SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: 5 Feb. 2008

/s/  
AMY J. NELSON  
Special Assistant United States Attorney

DATED: 6 Feb. 2008


/s/  
GEOFFREY M. BUCKLES  
Counsel for FREEMAN

ORDER

Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded under the Speedy Trial Act from February 4, 2008 to June 2, 2008. The Court finds, based on the aforementioned reasons, that the ends of justice are served by granting the requested continuance and outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant the requested continuance would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

SO ORDERED.

DATED: 2-7-08

  
RICHARD SEEBORG  
United States District Judge  
MENTRE JUDGE